

**Montana Department
of
Fish, Wildlife & Parks**



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JUN 24 1996
ENVIRONMENTAL
QUALITY COUNCIL

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Ref: PG0474.96
June 13, 1996

TO ALL INTERESTED PARTIES:

Enclosed is a copy of the Record of Decision for the final environmental impact statement (EIS) prepared by Montana Fish Wildlife & Parks to evaluate it's mountain lion management program. Alternative Four, to base the management of mountain lions on parameters determined by social and biological constraints, was chosen as the preferred alternative.

Some clarifying language has been included in the decision. This language does not result in major changes from the description or analysis of the chosen alternative and does not require that additional analysis be carried out.

FWP appreciates the public's interest and participation in the EIS process. Additional information, or a copy of the final EIS, may be obtained by contacting FWP at the following address: Wildlife Division, MDFWP, PO Box 200701, Helena, MT 59620-0701.

Sincerely,

A handwritten signature in black ink, appearing to read "Pat Graham". The signature is fluid and cursive, with a long horizontal line extending from the end.

Patrick J. Graham
Director

Enc.

03/15/37

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INTERNATIONAL
JOURNAL OF LAW

RECORD OF DECISION

REGARDING FINAL EIS ON MANAGEMENT OF MOUNTAIN LIONS IN MONTANA

HISTORY OF PROPOSAL

In keeping with the general management goals of Montana Fish, Wildlife & Parks (FWP) the management of Montana's mountain lions (*Felis concolor*) was slated for review in 1992. Concerns raised both in the department and by the general public were used to shape the objectives for the program review. Because major changes in the management for mountain lions are being considered, an environmental impact statement (EIS) has been completed in compliance with the Montana Environmental Policy Act (MEPA).

Preceded by press releases a scoping document was released in September, 1994. After analysis of public input a draft EIS (DEIS) describing four alternatives for managing mountain lions in Montana was issued in April 1995 for further public review and input. Following analysis of public input on the DEIS a final EIS was issued in February 1996.

MEPA PROCESS

A public scoping period was conducted between September 7 and October 25, 1994. Following analysis of public comments on impacts and alternatives a DEIS outlining four alternatives for managing Montana's mountain lions was compiled and sent out to the public for comment April 5, 1995. The four alternatives analyzed in the DEIS included: No hunting by the general public; Continue the current management; Intensification of harvest to reduce populations; and Management based on carrying capacity and social tolerances. Comments on the DEIS were received through June 21, 1995. Seven public meetings were held across the state in order to provide additional opportunity for public input. A final EIS was released to the public February 28, 1996 containing corrections and clarifications from the DEIS as well as public comment and FWP responses to public comments.

THE DECISION PROCESS

FWP considered public comment on the DEIS as well as the analysis presented in the final EIS in arriving at a decision pertaining to future management of Montana's mountain lion populations. This decision takes into account the concerns raised by the public and their comments on the DEIS as well as concerns expressed by FWP and the FWP Commission. The decision sets a course for the future management practices, some of which will be dependent on actions by the FWP Commission and the Montana Legislature.

ISSUES OF CONCERN ADDRESSED IN THE EIS

- Timing and structure of the mountain lion hunting season.

- Regulation of nonresident hunters and hound handlers.
- Length of the time period allowed for reporting kills, tagging hides and skulls and closing the season.
- Levels of security afforded females and young.
- Recommendations regarding roadless and wilderness areas made by FWP to land management agencies.
- Development of a policy dealing with human-lion depredation conflicts.
- The effects of mountain lions on the prey base and on future big game hunting.
- The role of public hunting in lion management.
- Use of nonlethal means to address depredating and nuisance mountain lion problems.
- Prevention of illegal harvest and reporting activities.
- Application of Montana's game damage status to mountain lions.

PROPOSED ACTION

- Element A: FWP will recommend to the FWP Commission the current hunting season format be continued. FWP recognizes experimental areas are needed to collect data necessary to evaluate the feasibility of hunting lions encountered during the general big game season.
- Element B: FWP will recommend to the FWP Commission the current chase season format be continued.
- Element C: Quotas will continue to be used as the main method of controlling harvest.
- Element D: FWP will continue to assist landowners and ADC with livestock depredation involving mountain lions.
- Element E: FWP public education efforts will continue to be directed at protecting mountain lion habitat and reducing depredation and human lion conflicts.
- Element F: FWP will continue to assess and make recommendations to land managing agencies regarding roads and access on public lands. Such recommendations will evaluate the effects of access on mountain lion security and viability.

- Element G: FWP will continue to protect important wildlife habitat through the use of leases, conservation easements and fee title as outlined by the Habitat Montana Projects. The needs and requirements of mountain lions will be considered as an integral portion of the analysis of these projects.
- Element H: FWP will continue to evaluate and make recommendations on proposed projects on public lands based on their effects on, and merits for, wildlife, including mountain lions and their prey.
- Element I: FWP will recommend the FWP Commission continue to require hides and skulls of mountain lions be tagged in the region in which they are harvested.
- Element J: FWP will ask the FWP Commission to reduce the minimum closure period for a season from 48 to 12 hours and allow FWP to announce closure prior to meeting quotas. FWP will implement measures to improve notification for hunters (i.e., 24 hour 1-800 number).
- Element K: FWP will ask the FWP Commission to require all hunters harvesting a mountain lion to report the harvest within 24 hours of the kill.
- Element L: FWP will recommend that under some circumstances, or in specific areas such as special management areas, the FWP Commission regulate harvest using season length rather than quotas.
- Element M: FWP will recommend the FWP Commission require successful mountain lion hunters to present the hide and skull of all mountain lions harvested for inspection by an authorized employee or representative of FWP within 24 hours after being reported taken. All hides will be tagged at this time and skulls within the next 5 days. FWP will evaluate the feasibility and impacts on staff to accommodate turn in on weekends and holidays.

EXCEPTION: Hunters with mountain lions harvested in those hunting districts with an early season (beginning Sept. 15) would have 24 hours after reaching the trailhead to present the hide and skull for inspection and the tagging of the hide, and five days after reaching the trailhead for the tagging of the skull.

- Element N: FWP will ask the FWP Commission to reword the mountain lion regulations to read "Neither females with young, nor young traveling with an adult female may be taken."
- Element O: FWP will evaluate the possibility of hunting mountain lions on WMAs and in cases where feasible, make recommendations to the FWP Commission for such seasons.

- Element P: FWP will recommend the FWP Commission establish intensive management zones around selected areas of human habitation in order to reduce the threat mountain lions pose to public safety.
- Element Q: FWP will seek the approval of the Governor to ask the Montana Legislature to amend Statute 87-3-608 MCA to require the wildlife evaluation FWP prepares on new subdivisions be provided to prospective buyers.
- Element R: FWP will seek the approval of the Governor to ask the Montana Legislature to clarify Statutes 87-3-127(1) MCA and 87-3-130 MCA to allow stockgrowers to appoint a hound handler as his agent in cases of depredation by mountain lions or black bears.
- Element S: FWP will prioritize mountain lion research needs in Montana and, when needed, seek spending authority from the Montana Legislature to meet those needs.
- Element T: FWP will make mountain lion season recommendations to the FWP Commission that are based on carrying capacities that reflect biological, recreational, economic and aesthetic constraints placed on mountain lions, their prey and their habitat.
- Element U: FWP will develop a policy that will direct FWP personnel when addressing human-lion conflicts.
- Element V: FWP will ask the FWP Commission to require all persons 12 years of age and older that are in charge of dogs pursuing mountain lions to purchase a current mountain lion license and hold a hound handler permit.

EXCEPTION: Guides and outfitters will be eligible to receive a free hound handler permit by presenting their Montana outfitters or guide license and their conservation license. Guides will also be required to provide the license number of the outfitter on whose license they are guiding.


- Element W: FWP will evaluate FWP's methods of regulating numbers of mountain lion hunters in Montana and make such recommendations to the FWP Commission if it becomes necessary, either on a statewide or local scale.
- Element X: FWP will develop a system that will allow rapid accumulation and dissemination of harvest and quota information and the inspection and tagging of hides and skulls.
- Element Y: FWP will revise workplans to reschedule and prioritize work schedules to allow wardens, or other authorized FWP personnel, to check kill sites and hunter residency as needed.

FWP DECISION

Montana Fish, Wildlife and Parks hereby issues a decision to adopt Alternative #4, the Preferred Alternative. This decision includes a commitment to making certain budgeting and management decisions, to develop and implement new program initiatives and seek approval of the Governor to draft legislation to submit to the Montana Legislature. In taking this course FWP has also committed to making specific recommendations to the FWP Commission regarding season structure and the adaptation of annual rules.

This decision meets with FWP's mountain lion management objective to maintain mountain lion and prey populations that are compatible with the public's outdoor recreational desires while minimizing human-lion conflicts and livestock depredation. The decision also meets with the objectives set forth in the EIS to set appropriate mountain lion management objectives for Montana's various mountain lion habitats; improve FWP's ability to monitor mountain lion populations and determine their status, composition and trend; improve regulation of the annual harvest; improve public understanding of mountain lion biology, habitat requirements and management; and to develop policies and proactive program to deal with human-lion confrontations and livestock depredation.

The ultimate benefit of the decision is the long term perpetuation of viable, healthy mountain lion populations that can provide aesthetic and recreational benefits to Montanans and visitors to our state.


Patrick J. Graham
Director

6-7-96
Date

